

MINUTES OF MEETING OF THE BOARD OF PUBLIC WORKS OF OCTOBER 5TH, 1938.

The regular quarterly meeting of the Board of Public Works took place in the office of the State Comptroller, Annapolis, Maryland, on Wednesday, October 5th, 1938.

Present:

Harry W. Nice, Governor.
Wm. S. Gordy, Jr., Comptroller.
Hooper S. Miles, Treasurer.

Doctor Albert S. Cook, State Superintendent of Education, Mr. John L. Dunkle, Principal, State Teacher's College Frostburg, Mr. J. D. Blackwell, Principal, State Teachers College Salisbury and Mr. Leonidas S. James, Principal, Bowie State Teachers College, appeared before the Board in the interest of amendments submitted to the Board for consideration, covering changes in the 1939 budgets of the State Department of Education and the State Teacher's Colleges.

The Board advised Doctor Cook and the Principals that it would not approve any increases in salaries for the fiscal year 1939 over salaries received by employees in the fiscal year 1938, but that salaries necessary to take care of replacements would be approved. The changes in expense items, as shown in the amendments, were approved. The additional money necessary to take care of the increased operating expenses is to be payable out of special funds to be received in the fiscal year 1939 by the Colleges, the necessary authority for this to be covered by Section 3 of the Budget Law, which authorizes the Governor to approve the use of excess fees.

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Doctor George H. Preston, Commissioner of Mental Hygiene and Mr. Tomlinson of Springfield State Hospital, appeared before the Board relative to the amendment submitted by the Institution for changes in its budget for the fiscal year 1939. Doctor Preston reported to the Board that in his opinion it will be necessary to increase salaries of nurses in the fiscal year 1939 because of the impossibility of employing additional nurses and make replacements of any nurses which might leave at the salary of \$70.00 a month, which is being paid nurses at the present time. Doctor Preston stated an examination was being held on the date of the meeting to establish an eligible list from which to employ nurses who are needed at the Institution, and that Colonel Jones, State Employment Commissioner, in his advertisement had shown the salary payable to nurses as from \$75.00 to \$100.00 per month.

The Board agreed that after receiving the eligible list and interviewing the nurses if it was found that additional nurses could not be obtained for \$70.00 per month, the Hospital was authorized to offer them \$80.00 a month, and in the event it was necessary to pay \$80.00 a month, the Hospital should submit an amendment to the Board for its approval providing salaries for the new nurses at \$80.00 and increasing the salaries paid nurses in the employ of the Hospital at this time from \$70.00 to \$80.00 per month. As to other increases in salaries requested, the Board advised Doctor Preston that it would not deviate from its established policy of declining to approve any increase in 1939 over salaries paid in 1938, except as to replacements.

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Mr. William P. Hall, Jr., Chairman of the Committee of the Baltimore Assn. of Commerce, looking after the question of a survey of hospital facilities of the State, appeared before the Board in the interest of a request which had been made to the Board in the past for an allotment of \$10,000 from Relief Funds to cover the cost of making the desired survey.

The Board said it did not feel it would be justified in taking from the amount available for direct relief, which amount is already much less than the amount which was contemplated would be available for direct relief at the time of the Relief Tax Act of 1937, the sum of \$10,000 to cover the cost of the survey. The Board also stated that it could not feel the survey was imperative at this time and that a delay of several months would not prejudice the Hospital situation since the General Assembly would convene in January, 1939, and the matter can be given due consideration by them, with an appropriation to cover any expenses necessary, if the General Assembly feels the survey is desirable.

The Board took up for consideration the status of the "Baker" property located on College Avenue and the Bladen Hotel property on Bladen Street, which property had yet to be acquired as part of the site for the new State Office Building in Annapolis.

The Secretary brought to the attention of the Board two appraisals received from Lawrence L. Monnett, Jr. and J. Kearsley Kearney, in the amounts of \$7,000 and \$7,500 respectively, and also letter from Mr. Jenifer in which he submitted to the Board an offer made by the Bakers of \$12,500 for their property. The Board also considered appraisals made by Mr. Monnett and Mr. Kearney on the Bladen Hotel property. Mr. Monnett submitted an appraisal of the owners interest of \$14,100 and of the lessee's interest of \$3,400, or a total of \$17,500 and Mr. Kearney submitted an appraisal of the owner's interest at \$13,000 and the lessee's interest at \$3,000.

The Secretary was instructed to communicate with Mr. Thomas M. Jenifer, Special Assistant Attorney General, and request him to proceed with condemnation proceedings, the Board not wanting to consider the offer of \$12,500 made by the Bakers.

The Secretary was instructed to advise Mr. Jenifer that it would be willing to pay \$17,500 in settlement of interests of both the owner and lessee of the Bladen Hotel property and that in the event of the failure of those persons to accept this amount, Mr. Jenifer should proceed with condemnation proceedings without the State being prejudiced as to any rights it has under the existing contract between the owners of the premises and the State.

Dept. of Public Welfare

The Secretary brought to the attention of the Board an amendment submitted by the Board of State Aid and Charities, covering increase in salary of Senior Stenographer from \$1300 to \$1500 for the fiscal year 1939.

The amendment was disapproved, it being contrary to the ruling previously passed by the Board that there should be no increases in salaries in 1939 over salaries in 1938.

Governor Nice requested that the Board authorize the transferring of the boxwood on the Mullan property to the grounds of the Executive Mansion instead of retaining the boxwood for planting on the grounds of the new State Office Building.

The Governor's request was approved. The Secretary was instructed to notify the Architects accordingly.

The Budget Amendment submitted by Eastern Shore State Hospital, adjusting its accounts for the fiscal year 1938, was duly considered and approved.

*Dept. of
Public Welfare*

Mr. J. Milton Patterson, Executive Secretary of the Board of State Aid and Charities, submitted to the Board for its consideration a proposed lease between Wonder Clothes, Inc. and the Board of State Aid and Charities for leasing the second floor of the Triangle Building, Hopkins Place and Baltimore Street, for the term of five years, beginning the first day of April, 1939 and ending on the 31st day of March, 1944, at \$6,000 a year, payable in equal monthly installments on the first day of each and every month in advance, possession of said property to be given tenant as soon as the same are ready for occupancy.

The Board was favorable to the leasing of the premises, with the exception that it was thought the term should not be for more than three years, with the option to renew the lease for a further term of two or three years, and the Secretary was instructed to return the lease to the Board of State Aid and Charities with request that an effort be made to amend the lease accordingly.

*Dept. of
Public Welfare*

Mr. J. Milton Patterson, Executive Secretary of the Board of State Aid and Charities, submitted to the Board for its consideration and approval, a budget for the Relief Department of the Board of State Aid and Charities for the fiscal year 1939, showing proposed expenditures of \$93,067.25.

The Budget was duly approved.

A letter from Doctor James A. Robertson, Archivist, Hall of Records, requesting authority to install steel doors with combination locks at the three entrances of the Hall of Records, at an approximate cost of \$400, was duly considered and approved.

The Secretary requested consideration by the Board of the status of the State Use Shops Funds of the Maryland Penitentiary and Maryland House of Correction, so that the balance to the credit of that account at this time would be earmarked and not become merged or confused with Revolving Funds of \$100,000 and \$50,000 for the Maryland Penitentiary and Maryland House of Correction, respectively for State Industries Account of the Institutions, these Revolving Funds being created by the General Assembly of 1937 and being set forth in the enacting clauses of the Budget Law for the fiscal years 1938 and 1939.

The Board decided that the balance at the close of the fiscal year 1938 in the State Use Shops Account should be kept intact and should not be used for any purposes except those authorized by the Board of Public Works, and should not become merged or confused with the Revolving Funds authorized in the Budget Law for the fiscal years 1938 and 1939.

A budget submitted by the University of Maryland, for the fiscal year 1939, for approval, was considered. The Board being unable to ascertain from the figures included in the budget whether the budget includes increases in salaries in 1939 over salaries in 1938 instructed the Secretary to advise the University of Maryland of the resolution previously passed by the Board wherein the Board took the position that it would not approve salaries increased in 1939 over 1938, and to request the University of Maryland to advise the Board of Public Works whether the budget submitted is in conformity with the resolution of the Board, and if not, to submit a revised budget to come within the terms of the resolution.

The Secretary brought to the attention of the Board a claim from W. L. Tull, Crisfield, Maryland, in the amount of \$1470.70, covering damages to oysters planted in Pocomoke Sound on leased acreage, the damage being caused by dredging a channel close to the leased land and covering the oysters with mud.

The Secretary was instructed to hold the claim because of the thought that other claims will be filed in the near future and that it was desired to have before the Board for consideration at one time all claims to be submitted, rather than to consider individual claims as received.

Public Works

A Budget Amendment submitted by the Board of State Aid and Charities, applicable to the fiscal year 1938, dated September 30th, 1938, and involving an increase of \$190.00 with a corresponding decrease, was approved.

A Budget Amendment submitted by the Traffic Court of Baltimore City, dated September 29th, 1938, applicable to the fiscal year 1938, involving increases amounting to \$626.28, with decreases in a corresponding amount, was approved.

A Budget Amendment submitted by the Maryland Tuberculosis Sanatorium, dated September 30th, 1938, applicable to the fiscal year 1938, involving increases amounting to \$7,638.95 with decreases in a corresponding amount, was approved.

The Secretary brought to the attention of the Board a letter received from Roscoe C. Rowe, State's Attorney for Anne Arundel County, recommending to the Board that it authorize the writing off as uncollectible a list of fines and forfeitures submitted by the State Auditor with a report to the Comptroller, dated April 22nd, 1938, in connection with an examination of the accounts and records of the office of the Sheriff of Anne Arundel County.

The recommendation of the State's Attorney that the items be written off as uncollectible was approved.

An amendment submitted by the Superintendent of the Maryland State Police, for the budget of that Department for the fiscal year 1939, was duly considered.

The Secretary was instructed to advise the Superintendent of Maryland State Police that it was unwilling to approve the employment of additional personnel, or the increase in salaries in 1939 over salaries of employees in 1938. The Secretary was instructed to return the amendment for revision.

An amendment submitted by the Central Purchasing Bureau, applicable to the year 1939, covering certain changes in salaries and wages to conform to changes authorized in 1938, was approved.

An amendment submitted by the Maryland Penitentiary, applicable to the year 1939, covering certain changes in salaries and wages to conform to changes authorized in the 1938 budget, was approved.

An amendment submitted by the Maryland House of Correction, for the fiscal year 1939, was considered.

The Board disallowed the request for \$1500.00 for salary for Swineherd Instructor because of the fact that there is no one employed at the Institution filling this position at the present time. The Board approved the employment of a Swineherd Instructor in the last fiscal year, but the employee worked a very short time and the vacancy was not filled. The Board is not convinced of the necessity of providing salary for a position which is not being filled.

The Secretary was instructed to eliminate the item from the amendment and to note approval as to the other items in the amendment.

An amendment submitted by the Maryland State Penal Farm for the fiscal year 1939, continuing salaries authorized by the Board in the fiscal year 1938, was approved.

An amendment submitted by the Maryland Tuberculosis Sanatorium for the fiscal year 1939, involving increases of \$12,500 with decreases aggregating a similar amount, was approved.

The Board approved an amendment to the appropriation to the Board of Public Works for the fiscal year 1938, adjusting expense items to conform to actual expenditures in the fiscal year.

A letter from the Public Service Commission accompanied by two proposed amendments to the budget of the Commission, for the fiscal year 1939, were considered by the Board.

The request of the Commission for increases in certain salaries for the new year over salaries paid in 1938 was disallowed, based on resolution previously adopted by the Board to not approve increases in salaries in 1939 over salaries received in 1938.

RESOLUTION

State Tax Rate

WHEREAS, under Section 9 of Chapter 91 of the Acts of the General Assembly of Maryland of 1935, provision is made for the levy of State Taxes for the year 1939, at four and one-quarter cents ($4\frac{1}{4}$) on each one hundred dollars (\$100) of assessable property, to meet the interest on the outstanding certificates of the Emergency Bond Issue of 1935, and also to meet and redeem so much of the principal as may be redeemable in said year, unless, before January 1st, 1939 the Board of Public Works shall ascertain as a fact that all payments of principal and interest have been met during the current year, and that the reserve fund provided for in Section 8 of said Act is unimpaired; and

WHEREAS, the Comptroller has presented to the Board a statement showing that there was on hand in the State Treasury at September 30th, 1938 the Reserve Fund of \$500,000.00 required by Chapter 91 of the Acts of the General Assembly of Maryland of 1935 after making provision for paying all interest due on the Emergency Bond Issue of 1935 in the calendar year 1938, and the Comptroller further estimates that the receipts in the State's fiscal year beginning October 1st, 1938 from Collateral Inheritance Tax and Direct Inheritance Tax will be \$1,650,000.00, and further advises the Board that the requirements for interest in the calendar year 1939 on the Emergency Bond Issue of 1935 will be \$233,460.00 with maturities of \$344,000.00 April 15th, 1939 and \$184,000.00 October 15th, 1939, indicating a total service requirement of \$761,460, and

THEREFORE, BE IT RESOLVED: That the Board of Public Works does hereby find as a fact that all payments of principal and interest upon said certificates have been provided during the current year, and that the Reserve Fund provided for in Section 8 of said Act is unimpaired; and

BE IT FURTHER RESOLVED: That the Governor of Maryland be, and he is hereby authorized and directed to publicly declare by proclamation that the State Taxes provided for in Section 9 of said Act shall not be collected or levied for the year 1939.

A Budget Amendment submitted by the Maryland Penitentiary dated September 30th, 1938, applicable to the fiscal year 1938, involving increases amounting to \$7,412.98 with decreases in a corresponding amount, was approved.

A Budget Amendment submitted by the State Teachers College at Towson, dated September 30th, 1938, applicable to the fiscal year 1938, involving increases amounting to \$1,491.28 with decreases in a corresponding amount, was approved.

A Budget Amendment submitted by the Spring Grove State Hospital, dated

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October 10th, 1938, applicable to the fiscal year 1938, involving increases amounting to \$2,189.11 with decreases in a corresponding amount, was approved.

A Budget Amendment submitted by the Commissioner of Motor Vehicles, dated October 5th, 1938, applicable to the fiscal year 1938-1939, involving increases amounting to \$16,422.00 with decreases in a corresponding amount, was approved.

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There being no further business, the meeting adjourned.

Joseph C. Meluskey
Secretary.

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The following letter from the State Department of Forestry was considered and approved.

STATE DEPARTMENT OF FORESTRY.

The Board of Public Works,
Annapolis, Md.

Oct 5th, 1938.

Gentlemen:-

Approval is requested for the purchase of four tracts of land, all of which were approved by the Board of Regents at their regular meeting on the 16th of September, 1938.

The first tract will be purchased from the Consolidated Gas Electric Light and Power Company, and includes 3200 feet of the Patapsco River and adjacent lands on both sides, partly in Baltimore and partly in Howard Counties, and borders land previously acquired and now used as the Patapsco State Park. This is a very valuable piece of property, including the Bloede dam, operated up to a few years ago by the Gas and Electric Company for Hydro-electric purposes. The property is offered at this nominal sum, "subject to the conditions that the grantee and its assigns shall at no time use, or permit the use, of any dam, water power or flowage rights on the above described property for the generation of electricity or other power". In our plans of development and maintenance of the patapsco State Park, there is no probable use of the river for power purposes since commercial electric current is available at reasonable prices in this whole area. I, therefore, recommend that this condition be accepted. It is a most desirable property which, combined with what we already own on the river and the recent thirty year lease with the City for their holdings, will give us ownership or control of the river from Ilchester to Relay, or about 3 1/2 miles through the most beautiful section of the Patapsco Gorge.

At a county commissioners' sale in Garrett County on the 2nd of September, the following tracts were purchased:

<u>Owner</u>	<u>Acreage</u>	<u>Area</u>	<u>Cost</u>
Patrick Rooney	24.75	Potomac	42.60
James Dougherty	50.	#	48.00
Millard Riley	103.50	"	124.00
	<u>178.25</u>		<u>214.60</u>

All of these tracts are in purchase areas already owned by the State.

Very truly yours,

/s/ F. W. Besley,

State Forester

FWB/w